

AMENDED IN SENATE MAY 4, 2009

AMENDED IN SENATE MARCH 31, 2009

**SENATE BILL**

**No. 283**

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**Introduced by Senator DeSaulnier**

February 24, 2009

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~~An act to add Section 18934.1 to the Health and Safety Code, and to repeal Section 13557 of the Water Code, relating to building standards.~~  
*An act to amend Sections 18931.6 and 18931.7 of the Health and Safety Code, and to amend Section 13557 of the Water Code, relating to building standards.*

LEGISLATIVE COUNSEL'S DIGEST

SB 283, as amended, DeSaulnier. Building standards: recycled water systems.

*(1) Existing law requires each city, county, or city and county to collect a fee from any applicant for a building permit, assessed at the rate of \$4 per \$100,000 in valuation, as determined by the local building official, with appropriate fractions thereof, but not less than \$1. Existing law authorizes the city, county, or city and county to retain not more than 10% of the fees collected for related administrative costs and for code enforcement education. Existing law requires the city, county, or city and county to transmit the remainder to the California Building Standards Commission for deposit in the Building Standards Administration Special Revolving Fund, which is established in the State Treasury.*

*This bill would require that moneys in the fund be available, upon appropriation, to the Department of Water Resources to carry out a specified provision of law relating to design standards for potable and*

*recycled water systems. The bill would also make a technical change to existing law.*

(1)

(2) Existing law, the Water Recycling Act of 2006, requires the Department of Water Resources, in consultation with the State Department of Health Services, on or before July 1, 2008, to adopt and submit to the California Building Standards Commission regulations to establish a state version of Appendix J of the Uniform Plumbing Code to provide design standards to safely plumb buildings with both potable and recycled water systems.

~~This bill would repeal these provisions of law~~ *revise the date the Department of Water Resources is required to adopt and submit regulations to the commission to July 1, 2010.*

~~(2) The California Building Standards Law requires any building standard adopted or approved by a state agency to be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification.~~

~~This bill would require the commission, on or before July 1, 2010, to adopt building standards governing recycled water systems. The bill would require that the standards be based upon Chapter 16 of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, with any amendments, deletions, or additions deemed appropriate by the commission. The bill would require the building standards adopted by the commission to apply to specified occupancies and be consistent with certain requirements of existing law.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 18931.6 of the Health and Safety Code
- 2     is amended to read:
- 3     18931.6. (a) Each city, county, or city and county shall collect
- 4     a fee from any applicant for a building permit, assessed at the rate
- 5     of four dollars (\$4) per one hundred thousand dollars (\$100,000)
- 6     in valuation, as determined by the local building official, with
- 7     appropriate fractions thereof, but not less than one dollar (\$1).
- 8     (b) The city, county, or city and county may retain not more
- 9     than 10 percent of the fees collected under this section for related

administrative costs and for code enforcement education, including, but not limited to, certifications in the voluntary construction inspector certification program, and shall transmit the remainder to the commission for deposit in the Building Standards Administration Special Revolving Fund established under Section ~~19831.7~~ 18931.7.

(c) The commission may reduce the rate of the fee upon determining that a lesser amount is sufficient to maintain the programs established under this part.

*SEC. 2. Section 18931.7 of the Health and Safety Code is amended to read:*

18931.7. (a) All funds received by the commission under this part shall be deposited in the Building Standards Administration Special Revolving Fund, which is hereby established in the State Treasury.

(b) Moneys deposited in the fund shall be available, upon appropriation, to the commission, the department, and the Office of the State Fire Marshal for expenditure in carrying out the provisions of this part, and the provisions of Part 1.5 (commencing with Section 17910) that relate to building standards, as defined in Section 18909, with emphasis placed on the development, adoption, publication, updating, and educational efforts associated with green building standards.

(c) *Moneys in the fund shall also be available, upon appropriation, to the Department of Water Resources for purposes of Section 13357 of the Water Code.*

*SEC. 3. Section 13557 of the Water Code is amended to read:*

13557. (a) On or before July 1, ~~2008~~ 2010, the department, in consultation with the State Department of Public Health, shall adopt and submit to the California Building Standards Commission regulations to establish a state version of Appendix J of the Uniform Plumbing Code adopted by the International Association of Plumbing and Mechanical Officials to provide design standards to safely plumb buildings with both potable and recycled water systems.

(b) The department shall adopt regulations pursuant to subdivision (a) only if the Legislature appropriates funds for that purpose.

~~SECTION 1. Section 18934.1 is added to the Health and Safety Code, to read:~~

1     ~~18934.1. (a) On or before July 1, 2010, the commission shall~~  
2     ~~adopt, approve, codify, and publish in the California Building~~  
3     ~~Standards Code building standards governing recycled water~~  
4     ~~systems. The building standards adopted by the commission shall~~  
5     ~~be based upon Chapter 16 of the Uniform Plumbing Code of the~~  
6     ~~International Association of Plumbing and Mechanical Officials,~~  
7     ~~with any amendments, deletions, or additions deemed appropriate~~  
8     ~~by the commission. In developing building standards for recycled~~  
9     ~~water systems pursuant to this section, the commission shall~~  
10    ~~consider the recommendations of the Recycled Water Task Force~~  
11    ~~of 2002. The commission may also consult with the Department~~  
12    ~~of Water Resources, the State Department of Public Health, or any~~  
13    ~~other agency it deems appropriate in developing the standards.~~  
14    ~~The building standards for recycled water systems developed~~  
15    ~~pursuant to this section shall be consistent with the requirements~~  
16    ~~of the Porter-Cologne Water Quality Control Act (Division 7~~  
17    ~~(commencing with Section 13000) of the Water Code).~~

18    ~~(b) (1) The building standards adopted by the commission~~  
19    ~~pursuant to subdivision (a) shall apply to both of the following:~~

20    ~~(A) Occupancies over which no other state agency has building~~  
21    ~~standards jurisdiction.~~

22    ~~(B) Any occupancy where another state agency has building~~  
23    ~~standards jurisdiction but has not proposed or adopted building~~  
24    ~~standards governing recycled water systems for that occupancy.~~  
25    ~~The building standards adopted by the commission shall apply to~~  
26    ~~the subject occupancy until the state agency with building standards~~  
27    ~~jurisdiction proposes or adopts building standards governing~~  
28    ~~recycled water systems for the subject occupancy, and the standards~~  
29    ~~have become effective.~~

30    ~~(2) Building standards for recycled water systems proposed by~~  
31    ~~other agencies shall be based upon the same considerations set~~  
32    ~~forth in subdivision (a), including, but not limited to, consistency~~  
33    ~~with the Porter-Cologne Water Quality Control Act (Division 7~~  
34    ~~(commencing with Section 13000) of the Water Code).~~

35    ~~(c) The commission or any appropriate state agency may revise~~  
36    ~~or update the standards adopted under this section at any time.~~

37    ~~SEC. 2. Section 13557 of the Water Code is repealed.~~